

**Minutes
NOSB Meeting
October 24, 2003**

NOSB Members: Dave Carter, Jim Riddle, Kim (Burton) Dietz, Nancy Ostiguy, Mark King, Goldie Caughlan, Owusu Bandele, George Siemon, Rose Koenig, Andrea Caroe, Ann Cooper, Becky Goldberg, Dennis Holbrook, Micael Lacy, Kevin O'Rell

NOP Staff: Barbara Robinson, Richard Mathews, Keith Jones, Arthur Neal, Katherine Benham, Darcie Priestler, and Bob Pooler

1. Convene – 8:15 am EDT – Dave Carter, NOSB Outgoing Chair

Dave explained that the Board will work in the morning as committees (Crops, Livestock, and Handling) in order to re-visit May material recommendations. The new materials review form developed by the NOP will be completed by each committee for each material.

Kim moved that the NOSB accept the NOP materials review forms as working draft subject to posting for public comment. Becky 2nd. Approved unanimously.

Committees met all morning.

2. Board re-convened at 1:30 pm EDT.

3. Jim presented a revised Compatibility Guidance document which contained changes made during the previous day's discussion. The points were re-ordered slightly and changed into questions, as advised by BR. During the ensuing discussion, further changes were made to items a), c), and i). The "pros" and "cons" were removed. Jim moved, George 2nd, that the revised document be accepted as an NOSB working draft, subject to posting for public comment. Approved unanimously. (Attached as Addendum A.) Jim will also insert the revised option 3 into the larger guidance document, since it provides rationale and regulatory citations to support the Board's recommendation.

4. Kim gave an update on the status of materials under review. (Please note that Kim's power point presentation is different from the outline contained as tab 8 in the Meeting Book.)

Action: Kim to submit the correct version to the NOP and NOSB for the official record. Richard explained the NOP's Materials Database table and the levels of information that it contains.

George asked about the current status of chelates. RM replied that there is some confusion over "trace" minerals and "macro" nutrients. Chelates could be either. Due to the fact that the NOSB already made a broad recommendation to allow all mineral supplements allowed by AAFCO, unless specifically prohibited, this will be addressed in the upcoming livestock materials docket, which is currently being completed by the NOP.

5. Committee co-chairs gave reports on the committee meetings. Each committee chose one material to present as an example of their work. **Action:** Committee chairs/co-chairs to submit written comments to NOSB and NOP on the lessons learned by the committee as it worked with the new forms.
 - A. **Crops** – Rose presented committee’s materials review form as completed for THFA. Comments generated during Board discussion of the materials review forms included:
 - 1) The Board needs a written report from the NOP on the NOP’s review of confidential business information to be able to reference in column 4 of the materials review table.
 - 2) There were differences of opinion on the type and extent of information to enter in column 4. Should it be a citation, a summary of supporting info, or the committee rationale pertaining to the criteria? NOP answered that they need sufficient information in order to understand the board’s rationale, especially on controversial and/or confusing issues. Any later annotations need to be justified as they relate to the criteria. The citations to TAP reports, petitions, comments, independent research, etc., are also needed.
 - 3) It would be helpful for TAP reports to be line numbered and to have consistent page numbering.
 - 4) Board should refer to product label information (e.g. pesticide use instructions), if applicable. Submission of labels should be added to the petition requirements.
 - 5) Committees need to reference the compatibility guidance document when answering compatibility and consistency questions.
 - 6) When TAP reviewers make statements, they need to provide documentation/citations.
 - B. **Handling** – Andrea presented egg white lysozyme as the committee’s example.
 - 1) Board and NOP need to determine if a substance is a processing aid or adjuvant, since 205.600(b) criteria only apply to processing aids and adjuvants. OFPA criteria apply to all ingredients.
 - 2) A reference point for heavy metal tolerances needs to be identified. Information on heavy metal content can sometimes be found in certificates of analysis and MSDS. It may be helpful to refer to the Merck and Food Codex indexes.
 - 3) The subject of “extra notes” or “additional information” was discussed, and if the table needs a column for extra notes, or if this can be handled by using an asterisk or footnote to link to extra comments.
 - 4) Citations to the petition should generally not be presented as factual or decisive information, since this information was submitted by the petitioner and should not be seen as wholly unbiased.

- 5) There were some comments on the voting forms – there is a need to clarify how the box “basis for annotation” is to be used. While there is space to record who made and seconded a motion, there is no space to record the motion made. The layout of the voting boxes is confusing. Change “no restrictions” to “no annotations”. Add as a choice “allowed with annotations”. Add “recuse” and “absent” to the voting columns.

C. **Livestock** – Nancy presented the committee’s work on atropine.

- 1) The order of questions needs to be coordinated between the petitions, TAP reports, and NOSB materials review forms.
6. **Action:** Crops, Livestock, and Handling Committees are to meet by conference call to finish their work on the May materials, then submit the completed forms, including committee voting form, to the NOP, who will distribute to full Board. NOSB to have full Board conference call to complete the work and submit finished product to NOP.
7. Committee assignments and chairs were selected. See Addendum B. **Action:** New chairs and committees need to revise and submit work plans.
8. If any Board member wants to sit in on any Executive Committee or other committee conference call, just let NOP know. **Action:** NOP to distribute the conference call phone # to all members of the board in advance of the Executive Committee meetings.
9. Richard reminded all Board members to submit email drafts of documents to be printed to Francine so that they can be printed at USDA to avoid costly printing charges at hotel.
10. Next NOSB meeting to be held April 28, 29, & 30 in Chicago, IL.
11. George moved, Kevin 2nd to adjourn at 4:20 pm EDT. Approved unanimously.

Addendum A
NATIONAL ORGANIC STANDARD BOARD WORKING DRAFT:
COMPATIBILITY WITH ORGANIC PRODUCTION AND HANDLING
ADOPTED OCTOBER 24, 2003

ISSUE:

The NOSB has been asked to assist the National Organic Program by obtaining public input and issuing a recommendation on the following question: What are the factors (reasons, issues, parameters, strictures, limitations) and constraints that the National Organic Standards Board should use to determine a substance's compatibility with a system of sustainable agriculture and its consistency with organic farming and handling?

NOSB Guidance Document on Compatibility with a System of Sustainable Agriculture and Consistency with Organic Farming and Handling

In order to determine if a substance, its use, and manufacture are compatible with a system of sustainable agriculture and consistent with organic farming and handling, and in consideration of the NOSB Principles of Organic Production and Handling, the following factors are to be considered, when applicable:

- a) Does the substance promote plant and animal health by enhancing soil physical, chemical, or biological properties?
- b) Does the substance encourage and enhance preventative management?
- c) Does the substance promote the use of renewable resources and recycling, and reduce dependency on external inputs?
- d) Does the substance have a positive influence on the health, natural behavior, and welfare of animals?
- e) Does the substance satisfy consumer expectations regarding the authenticity and integrity of organic products?
- f) Does the substance promote the economic viability of organic farm operations?
- g) Is the substance mined, manufactured, or produced through reliance on child labor or any violations of International Labor Organization (ILO) conventions?
- h) Is use of the substance consistent with other listed uses of the substance?
- i) Is the substance consistent with other substances historically allowed or disallowed in organic production and handling?
- j) What are the experiences in foreign markets with use of the substance?
- k) Is the substance compatible with the Precautionary Principle? i.e. when a substance, its use, and manufacture raise concerns, precautionary measures should be taken when scientific data is not fully established. The proponent of a substance should bear the burden of proof to demonstrate compatibility.

ADDENDUM B: NOSB COMMITTEES

MATERIALS

Chair – Rose
Vice-Chair – Goldie
Nancy
Owusu
Kim

ACCREDITATION

Chair – Andrea
Vice-Chair – Jim
Mike
Dennis
Becky

LIVESTOCK

Chair – George
Vice-Chair – Nancy
Dave
Jim
Becky
Mike

HANDLING

Chair – Kevin
Vice-Chair – Goldie
Andrea
Kim
Ann
Mark

POLICY DEVELOPMENT

Chair – Dave
Vice-Chair – Ann
Becky
Jim
Kevin
Andrea
Mark

CROPS

Chair – Dennis
Vice-Chair – Owusu
Rose
Ann
Nancy